

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:23-CR-00005-01-DGK
)	
LANARD DAVON POULAN,)	
)	
Defendant.)	

ORDER ADOPTING THE MAGISTRATE’S REPORT AND RECOMMENDATION
DENYING DEFENDANT’S MOTION TO SUPPRESS

Now before the Court is Defendant Lanard D. Poulan’s Motion to Suppress Evidence and Statement, ECF No. 24, and United States Magistrate Judge Jill A. Morris’s Report and Recommendation, ECF No. 36, recommending the Court deny the motion. Neither party has objected to the Report and Recommendation, and the time for doing so has passed.¹ *See* L.R. 74.1.

Defendant seeks to suppress the cocaine and marijuana recovered from his bags on December 9, 2022, and the statements he made to law enforcement thereafter, both of which he contends were obtained in violation of the Fourth Amendment. Specifically, Defendant wants to suppress the evidence as fruit of the poisonous tree. After reviewing the report and conducting an independent review of the applicable law and record, *see id.*, the Court agrees with the Magistrate’s thorough and well-reasoned opinion holding that Defendant voluntarily consented to the encounter with law enforcement.² Accordingly, the cocaine and marijuana found inside

¹ To the contrary, the Government filed a response in support of the Report and Recommendation. ECF No. 37.

² Or alternatively that there was reasonable suspicion to perform a lawful, investigatory seizure of Defendant.

Defendant's bags, and the statements he made thereafter, were not obtained in violation of the Fourth Amendment.

The Court ADOPTS the Report and Recommendation and DENIES Defendant's motion.

IT IS SO ORDERED.

Date: August 2, 2023

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT